

EXHIBIT 13

1 UNITED STATES DISTRICT COURT

2 FOR THE WESTERN DISTRICT OF NEW YORK

3 - - - - -
4 **BLACK LOVE RESISTS IN THE RUST, et al.,**

5 **individually and on behalf of a class of**
6 **all others similarly situated,**

7 Plaintiffs,

8 vs.

1 :18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., et al.,**

10 Defendants.

11 - - - - -
12 **ORAL EXAMINATION OF KEVIN BRINKWORTH**

13 **APPEARING REMOTELY FROM**

14 **BUFFALO, NEW YORK**

15
16 Wednesday, March 16, 2022

17 9:08 a.m. - 4:43 p.m.

18 pursuant to notice

19
20
21 REPORTED BY:

22 Luanne K. Howe

23 APPEARING REMOTELY FROM CUYAHOGA COUNTY, OHIO

REMOTE APPPEARANCES

APPEARING FOR THE PLAINTIFFS:

NATIONAL CENTER FOR LAW AND ECONOMIC JUSTICE
BY: CLAUDIA WILNER, ESQ.
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APPEARING FOR THE DEFENDANTS:

CITY OF BUFFALO LAW DEPARTMENT
BY: CHRIS POOLE, ESQ.
ASSISTANT CORPORATION COUNSEL
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65 Niagara Square
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ALSO PRESENT:

CHRISTINE NELSON, ESQ.
Covington & Burling LLP

1 A I don't recall seeing tow trucks set up there, no.

2 Q Were K-9 dogs at the roadblocks that you attended?

3 A Not that I recall.

4 Q How were the locations for the Strike Force
5 roadblocks determined?

6 A I don't know.

7 MR. POOLE: Pardon me, Claudia. I
8 apologize. Can we go off the record for a
9 second?

10 MS. WILNER: Sure.

11 (Discussion held off the record.)

12 MS. WILNER: Would you be able to just
13 read back the last question and answer so we
14 can remember where we were?

15 (Record read by reporter.)

16 BY MS. WILNER:

17 Q So who did set the checkpoint locations?

18 A Originally, it was Derenda.

19 Q And did there come a time when Derenda stopped
20 setting checkpoint locations?

21 A There was a point the lieutenants picked up.

22 Q At the beginning, Derenda would send daily emails
23 with checkpoint locations, right?

1 MR. POOLE: Form.

2 Q And did working overtime also give opportunities --
3 excuse me.

4 Did working overtime also give officers the
5 opportunity to increase their pensions?

6 A Yes.

7 Q Did you see overtime opportunities as a reward for
8 production?

9 A No.

10 Q Did you correct Captain Roberts' belief that overtime
11 is a reward for production?

12 A I don't recall having that conversation.

13 Q Did you ever look into whether Captain Roberts was
14 communicating down the chain of command that overtime
15 was available as a reward for production?

16 A I did not hear that.

17 Q And did you look to see whether that was happening?

18 A No.

19 Q As chief, did you have a philosophy about how best to
20 use overtime?

21 A I had little or no authority in that regard. I had
22 no control over how overtime was meted out or how
23 details were set up. That was not anything that I